IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 12TH FEBRUARY 2007 / 23RD MAGHA 1928

Bail Appl..No. 770 of 2007()

CRIME NO.10/07 OF CHENGANNUR POLICE STATION

: PETITIONER/ACCUSED

---

1. BABU S/O.THANKAPPAN,
   AGED 28 YEARS, KUTTIYIL HOUSE, THITTAMEL,
   CHENGANNUR.

2. BIJU S/O.GOPALAN,
   AGED 26 YEARS, PALLIPARAMBIL HOUSE,
   PANDENADU P.O., CHENGANNUR.

BY ADV. SRI.P.JACOB VARGHESE
SRI.V.MANOJ KUMAR
SRI.VARUGHESE M.EASO
SRI.VIVEK VARGHESE P.J.
SRI.PRAISHEEL PRAKASAM P.
SRI.K.B.ARUN

RESPONDENT: COMPLAINANT

STATE OF KERALA, REP.BY
SUB INSPECTOR OF POLICE, CHENGANNUR POLICE
STATION, REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

- - - - - - - - - - - - - - - - -

BAIL APPLICATION NO. 770 OF 2007

- - - - - - - - - ----------- - - - - -

DATED THIS THE 12TH DAY OF FEBRUARY, 2007

O R D E R

Petitioners who are accused 1 and 2 in Crime No.10/07 of Chengannur Police Station for offences punishable under sections 323, 341, 324, 326 and 307 read with section 34 IPC, seek anticipatory bail. The occurrence took place at 1 AM on 4.1.2007 when the de facto complainant who had given evidence against the petitioners in another crime case was craftly enticed away to a lonely place from where he was brutally attacked using iron block and iron ring and was left unconscious on the railway track.

2. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioners should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioners surrender before the Magistrate concerned and file an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn